

From: Pete Hess
To: Jim Smith
Date: 2/17/04 2:46PM
Subject: CW Mining / Bear Canyon Mine / Underground sampling sites in Bear Canyon #1 Mine

Jim-

In reviewing your 3rd Quarter 2003 water monitoring review, I noted that sites SBC-11 and SBC-9A (which are inside the #1 Mine and sealed off as of 12/2003) are mentioned in your review. Rather than have the permittee continue to report these sites as "no access", I think we should have the permittee submit a permit amendment to remove those sampling points from the ground water monitoring regime. Would you need a full blown amendment to approve the removal of those monitoring points, or is a simple letter adequate to achieve the same results, stating that the monitoring sites have been sealed and are no longer accessible ? I just don't like them to continue to report "no access" because the Mine is sealed. If we tell them to do the "no access" thing, permittees may think any little reason to use "no access" is acceptable, and we will be giving away the Farm. I was of the understanding that "no access" was to be used when surface access was impossible due to snowy or muddy road conditions, and then only if the permittee maintained adequate documentation. Let me know what you expect to see relative to removing the points from the monitoring regime and I will pass it along to Mark Reynolds.

CC: Daron Haddock; Pam Grubaugh-Littig